

in a newspaper published in the County where such property is situated, and, if the proceedings be in Baltimore City, in one daily newspaper published in said City, requiring such defendant to appear in the said Court on or before a certain day to be named in the order, said day to be not less than thirty days nor more than forty days from the date of the first publication of said order, and show cause why such property, or such defendant's interest therein, should not be condemned as prayed in the petition.

See notes to sec. 15.

An. Code, sec. 3. 1912, ch. 117. 1914, ch. 463, sec. 4.

3. Every defendant summoned shall, within ten days after the return day to which he is summoned, and every defendant appearing shall, within ten days after such appearance, file an answer showing cause, if any he has, why the property mentioned in the petition, or said defendant's interest therein, should not be condemned as prayed, and every defendant against whom publication has been duly made, as hereinbefore provided, shall file an answer within the time limited in such order of publication.

The Court shall have power, for good cause shown, to extend the time for answering. In default of answer within the time hereinbefore provided or any extension thereof, as aforesaid, such defendant shall be regarded as in default, so far as the right of condemnation is concerned.

If any defendant summoned as aforesaid, or against whom publication has been made as aforesaid, is under legal disability, by reason of infancy, insanity or any other cause, the Court, upon the return of said summons, or the expiration of the time limited in such order of publication, upon the application of any party to said suit, shall authorize the duly constituted guardian or committee of such infant, lunatic or person under disability, to appear, answer, and defend for him within the times above specified, or if such defendant under disability shall have no constituted guardian or committee, the Court shall, upon application, appoint some suitable person as guardian *ad litem* to appear, answer, and defend for such defendant under legal disability, within the times above specified, and when such answer of such guardian *ad litem* or committee for such defendant shall be filed, the case as to such defendant shall be regarded as ready for further proceedings for said condemnation as hereinafter provided.

See notes to sec. 15.

An. Code, sec. 4. 1912, ch. 117. 1914, ch. 463, sec. 5.

4. The Court shall have the same power to permit amendments of the petition, answers and other proceedings as in other actions at law, and all demurrers, motions and other proceedings therein, except as otherwise herein provided, shall be disposed of in accordance with the rules and practice in said Court now governing in the trial of other civil cases at law.

When property is being condemned for a railroad crossing, the order of court should limit the condemnation to such purpose, and the condemnation should be subject to the rights of the public. See notes to sec. 1. *Hyattsville v. Washington, etc., R. R. Co.*, 120 Md. 140.

An amendment under this section suggested. *Brack v. Baltimore*, 125 Md. 390. And see *Brack v. Baltimore*, 128 Md. 434.